

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on December 4, 2001

Kelly L. McDow-Dupham 43,787  
Name of Attorney or Agent Registration No.  
*Kelly L. McDow-Dupham*  
Signature of Attorney or Agent

MAR 26 2002

P&amp;G Case 8675

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
HAILE (NMN) MEHANSO, et al. :  
Serial No. 09/939,389 : Group Art Unit: 1761  
Confirmation No. 3453 : Examiner: Not Yet Assigned  
Filed: August 24, 2001 :

COPY OF PAPERS  
ORIGINALLY FILED  
02/07/02

For COMPOSITIONS COMPRISING ARABINOGALACTAN AND A DEFINED PROTEIN

COMPLETION OF FILING REQUIREMENTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

[X] This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed October 4, 2001. A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

[X] No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

[ ] The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

[ ] The Provisional Application for Patent Cover Sheet (PTO/SB/16) that was filed was determined to be defective. A new cover sheet is attached.

[ ] This replies to the Notice to File Corrected Application Papers mailed \_\_\_\_\_. A copy of the Notice to File Corrected Application Papers is enclosed. To complete the informalities noted on the Notice to File Corrected Application Papers, applicant submits herewith:

[ ] New drawings complying with the size requirements (in compliance with 37 CFR §1.84);

[ ] Drawings of sufficient quality to readily use the patent application publication as a prior art document;

[ ] Specification of sufficient quality for optical character recognition (OCR) conversion of image to text;

[ ] Title and/or Abstract in compliance with 37 C.F.R. §1.72;

[ ] Sequence listings in compliance with 37 C.F.R. §1.821 *et seq.*

[ ] Other (please specify). \_\_\_\_\_

☒ The Commissioner is hereby authorized to charge payment of the surcharge set forth in 37 CFR §1.16(e) to Deposit Account No. 16-2480. The Commissioner is also hereby authorized to charge payment of any patent application processing fees under 37 C.F.R. §§1.16 and 1.17 associated with this communication or credit any over-payment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.

☐ The Commissioner is also hereby petitioned under 37 C.F.R. 1.136(a) to grant any extension of time needed for timely response to the Notice to File Missing Parts to preserve the pendency of the above-identified application. The processing fee under 37 C.F.R. §1.136(a) is as follows:

- ☐ \$110.00 for one-month extension of time;
- ☐ \$390.00 for two-month extension of time;
- ☐ \$890.00 for three-month extension of time.

The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Respectfully submitted,

By Kelly L. McDow-Dunham  
Kelly L. McDow-Dunham  
Attorney for Applicants  
Registration No. 43,787  
(513) 634-0102

Date: December 4, 2001

Customer No. 27752

# Procter & Gamble

Jennifer L. Schmidt  
Intellectual Property Division  
Global Food & Beverage

The Procter & Gamble Company  
Winton Hill Technical Center  
6071 Center Hill Avenue  
Cincinnati, OH 45224

Phone: (513) 634-5709  
Fax: (513) 634-3752  
e-mail: schmidt,jl.1@pg.com

OIPF

MAR 26 2002

## FACSIMILE TRANSMITTAL SHEET

TO: BOX DUPLICATE OIPE

COMPANY: UNITED STATES PATENT &amp; TRADEMARK OFFICE

FAX NUMBER: (703) 746-4060

PHONE NUMBER: (703) 308-1202

FROM: JENNIFER L. SCHMIDT

PHONE NUMBER: (513) 634-5709

TOTAL NO. OF PAGES INCLUDING COVER: 13

DATE: 26-MAR-02

RE: REQUEST FOR SUBSTITUTE PAPERS

CC:

### IMPORTANT CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone (collect) to arrange for return of the telecopied documents to us.

### NOTES/COMMENTS:

In the Application of:  
HAILE (NMN) MEHANSHO, et al.  
Serial No. 09/939,389  
Confirmation No. 3453  
Filed: August 24, 2001  
Group Art Unit: 1761  
P&G Case: 8675

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number 09/939,389

Confirmation Number 3453

Filing Date August 24, 2001

First Named Inventor Haile (NMN) Mehansho

Examiner Name Not Yet Assigned

Group/Art Unit 1761

Attorney Docket No. 8875

TOTAL AMOUNT OF PAYMENT (\$ 130.00

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480

Deposit Account Name The Procter &amp; Gamble Company

- ☒
- Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.18 and 1.17

**FEE CALCULATION****1. BASIC FILING FEE - Large Entity**

Code (\$)	Fee Description	Fee Paid
101 740	Utility filing fee	0
106 330	Design filing fee	0
108 740	Reissue filing fee	0
114 160	Provisional filing fee	0

SUBTOTAL (1) (\$0)

**2. EXTRA CLAIM FEES - Large Entity**

	Extra Claims	Fee from Below	Fee Paid
Total Claims	0 - 20** = 0 x	0 =	0
Independent Claims	0 - 3** = 0 x	0 =	0
Multiple Dependent		0 =	0

\*\* or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
103 18	Claims in excess of 20
102 84	Independent claims in excess of 3
104 280	Multiple dependent claim, if not paid
109 84	**Reissue independent claims over original patent
110 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$0)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Code (\$)	Fee Description	Fee Paid
105 130	Surcharge-late filing fee or oath	<input checked="" type="checkbox"/>
127 50	Surcharge-late provisional filing fee or cover sheet	0
139 130	Non-English specification	0
147 2,520	For filing a request for ex parte reexamination	0
112 920*	Requesting publication of SIR prior to Examiner's action	0
113 1,840*	Requesting publication of SIR after Examiner's action	0
115 110	Extension for reply within 1 <sup>st</sup> month	0
116 400	Extension for reply within 2 <sup>nd</sup> month	0
117 920	Extension for reply within 3 <sup>rd</sup> month	0
118 1,440	Extension for reply within 4 <sup>th</sup> month	0
128 1,960	Extension for reply within 5 <sup>th</sup> month	0
119 320	Notice of Appeal	0
120 320	Filing a brief in support of an appeal	0
121 280	Request for oral hearing	0
138 1,510	Petition to institute a public use proceeding	0
140 110	Petition to revive - unavoidable	0
141 1,280	Petition to revive - unintentional	0
142 1,280	Utility issue fee (or reissue)	0
143 450	Design issue fee	0
122 130	Petitions to the Commissioner	0
123 50	Petitions related to provisional applications	0
126 180	Submission of Information Disclosure Statement	0
146 740	Filing a submission after final rejection (37 CFR § 1.129(a))	0
149 740	For each additional invention to be examined (37 CFR § 1.129(b))	0
179 740	Request for Continued Examination (RCE)	0
169 900	Request for expedited examination of a design application	0
091 1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	0
	Other fee (specify)	0
	Other fee (specify)	0

\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130)

**SUBMITTED BY**

Name (Print/Type)

Kelly L. McDow-Dunham

Registration No.  
(Attorney/Agent)

43,787

**Complete (if applicable)**

Telephone

(513) 634-0102

Signature

Date

December 4, 2001

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2001 Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

OIPE  
MAR 26 2002

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/939,389	08/24/2001	Mehansho, Haile	8675

27752

THE PROCTER & GAMBLE COMPANY  
PATENT DIVISION  
IVORYDALE TECHNICAL CENTER - BOX 474  
5299 SPRING GROVE AVENUE  
CINCINNATI OH 45217

**Title:** Compositions comprising arabinogalactan and a defined protein component

Date Mailed:03/18/2002

## Request for Substitute Papers

The papers filed on 02/07/02 (certificate of mailing dated 12/04/01) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated **703-746-4060(OIPE)**.

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Erich D. Hemm Registration No.: 47,286

Signature: [Signature] Date: March 26, 2002

<b>CENTRAL DOCKETING</b>	
Atty/GBU Contact: <u>SRC/JS</u>	
DATE REC'D	<b>MAR 21 2002</b>
<input type="checkbox"/> FAX	<input checked="" type="checkbox"/> MAIL



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

MAR 26 2002

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,389	08/24/2001	Haile Mchansho	8675

27752  
THE PROCTER & GAMBLE COMPANY  
PATENT DIVISION  
IVORYDALE TECHNICAL CENTER - BOX 474  
5299 SPRING GROVE AVENUE  
CINCINNATI, OH 45217

CONFIRMATION NO. 3453

## FORMALITIES LETTER



\*00000000006844000\*

COPY OF PAPERS  
ORIGINALLY FILED

02/07/02

Date Mailed: 10/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

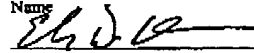
  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below:

Erich D. Hemm	47,286
Name	Reg. No.
	March 26, 2002
Signature	Date

COPY OF PAPERS  
ORIGINALLY FILED  
02/27/02

MAR 26 2002

P&amp;G Case 8675

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
HAILE (NMN) MEHANSO, et al. :  
Serial No. 09/939,389 : Group Art Unit: 1761  
Confirmation No. 3453 : Examiner: Not Yet Assigned  
Filed: August 24, 2001 :

For COMPOSITIONS COMPRISING ARABINOGALACTAN AND A DEFINED PROTEIN

RESPONSE TO REQUEST FOR SUBSTITUTE PAPERS

On December 4, 2001 Applicants' submitted a complete and timely Response to a Notice to File Missing Parts. On March 21, 2002 Applicants received a Request for Substitute Papers, stating that though received, the above-identified papers were no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (37 CFR 1.52(a)) for the above-referenced application due to the United States Postal Service mail sanitation process. Applicants hereby submit copies of the above-identified papers as requested. The enclosed papers are a complete and accurate copy of the above-identified papers.

Respectfully submitted,

By



Erich D. Hemm  
Attorney for Applicants  
Registration No. 47,286  
(513) 634-2084

Date: March 26, 2002

Customer No. 27752